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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,253	04/26/2000	HENNING MAAB	PHD98.097	6706

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

WOO, RICHARD SUKYOON

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/530,253

Applicant(s)

MAAB ET AL.

Examiner

Richard Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1) In view of the Appeal Brief filed on October 28, 2004, PROSECUTION IS HEREBY REOPENED. The non-final rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2) Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Rover (GB 2,335,002).

W.R.T. Claim 1:

Rover discloses a locating system comprising:

at least one data carrier (112, 118, 113) located in an area, the carrier including a position sensor, a transmitter and a receiver (see Fig. 1);

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an information unit (30) which is remote from the carrier for storing area information and transmitting the area information to the carrier;

wherein the carrier transmits its position to the information unit only in the case of initialization (inherently, the carrier must transmit its position in the case of initialization so as to inform the information unit where the data carrier is originally located) and movement of the at least one data carrier from the area (see abstract, Claim 1 and) and wherein a third party interrogates the information unit for the position of the carrier (see Claim 13).

W.R.T. Claim 2:

Rover further discloses the system, wherein the carrier has a receiver for receiving area boundaries corresponding to the area (see Supra safety zone or area), and a memory (see the data carrier in Fig. 1) for storing the area boundaries and absolute position data, and a comparator for comparing the position data with the area information when the transmitter transmits the boundaries of the area to the carrier.

W.R.T. Claim 3:

Rover discloses a method of locating an object provided with a data carrier located in an area, the method comprising:

the data carrier (112, 118, 113) receiving position data from a position-determining system (20);

the data carrier transmitting position data to an information unit (30);

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allocating the position data to an area in the information unit;
transmitting the boundaries (safety area or zone) of the area to the data carrier;
upon each movement of the data carrier comparing a position of the data carrier with the boundaries of the area (see Claim 1 and Fig. 1 and the descriptions thereof);
transmitting new position data to the information unit only in the case of a negative result of the comparison of the area boundaries transmitted by the information unit with the position of the data carrier (see Abstract and Fig. 1 and the descriptions thereof; Claim 1); and
interrogating the information unit from a third party for the position of the data carrier (Claim 13 for interrogating and tracking the position of the data carrier).

W.R.T. Claim 4:

Rover further discloses the method, wherein the position data transmitted by the data carrier is translated into area data in the information unit and the area in which the data carrier is located is stored in the information unit (see Fig. 1 and page 3, lines 3-7; page 4, lines 1-3).

Conclusion

3) The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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EP 0736425 is cited to show a positioning system using continuous monitor of global position whose coordinates are compared with those of defined operating region to authorize further use.

JP 11-27736 is cited to show a position search system, wherein the power supply of GPS receiver is switched on when a data carrier is moved out of its normal area of operation.

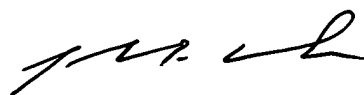
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 703-308-7830. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Richard Woo
Patent Examiner
Art Unit 3629
January 10, 2005



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800